



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/801,977

03/16/2004

Michael J. Olesko

45039.0028

2500

57362

7590

07/24/2006

AKERMAN SENTERFITT  
801 PENNSYLVANIA AVENUE N.W.  
SUITE 600  
WASHINGTON, DC 20004

EXAMINER

WILHELM, TIMOTHY

ART UNIT

PAPER NUMBER

3616

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/801,977	OLESKO ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Timothy D. Wilhelm	3616	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>6-21-2004</u> . | 6) <input type="checkbox"/> Other: ____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claim 25 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 25 discloses, "The airbag subassembly of claim 23 further including a horn bracket between said support structure and said bracket...." However, claim 23 discloses said support structure is a horn bracket. Thus, because applicant already claims the support structure to be a horn bracket and claim 25 subsequently depends on claim 23, it is unclear whether applicant means to include another horn bracket disposed between the first horn bracket and the bracket.

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-14, 17, 18, and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Helmstetter et al (US 2004/0041373). Helmstetter et al disclose a bracket 18 for an airbag subassembly comprising a base 25 formed from a material, at

Art Unit: 3616

least two retention members 20 extending from said base 25, said retention members 20 formed integral with and from the same material as said base 25, said retention members 20 including an arcuate surface formed to define a cavity 24 extending approximately perpendicular to said base 25, wherein said base 25 defines an inflator opening between said retention members 20, and wherein said retention members 20 each include an insertion point and a lip 27, said insertion point extending a greater distance from base than said lip 27. The retention members further define a retention cavity, disposed within retention member and an inner surface that acts as a first engagement surface and a second engagement surface within said retention cavity. The cavity 24 extending from said base 25 is at least partially located between said first and second engagement surfaces. With regard to claim 8, the surface includes a first leg and a second leg angled relative to said first leg and a center leg disposed between said first and second legs and separated from them by cavities 24. The bracket 18 of Helmstetter et al acts both as a retainer ring and a sealer plate. A housing 50 is disposed between the bracket 18 and the support structure 12, said housing 50 defining at least two pin receivers to allow said retention members to pass through.

**3.** Claims 1,2,8,9, and 28-32 are rejected under 35 U.S.C. 102(e) as being anticipated by Berrahou et al (US 2004/0239080). Berrahou et al disclose a bracket for an airbag subassembly comprising a base 210 formed from a material, at least two retention members 220 extending from said base 210, said retention members 220 formed integral with and from the same material as said base 210, said retention members 220 including a surface formed to define a cavity extending approximately

Art Unit: 3616

perpendicular to said base 210, wherein said base 210 defines an inflator opening 12 between said retention members 220, said retention members further define a retention cavity and a first engagement surface and a second engagement surface within said retention cavity. The cavity extending from said base 210 is at least partially located between said first and second engagement surfaces. With regard to claim 8, the surface includes a first leg 226 and a second leg 226 angled relative to said first leg 226 and a center leg disposed between said first and second legs.

4. Regarding claims 28-32, Berrahou et al disclose a method of forming a bracket 10 for an airbag subassembly for retaining an airbag module on a support structure, said method comprising the steps of stamping a metal sheet to define an opening and stamped retention members extending into said opening, and bending said stamped retention members to form retention members for coupling said metal sheet to the support structure, wherein said step of stamping said metal sheets defines a retention cavity in said stamped retention members, and wherein said step of bending said stamped retention members includes the step of raising said stamped retention members to be approximately perpendicular to said metal sheet and curling said stamped retention members to form a surface defining a cavity extending perpendicular to said metal sheet.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

Art Unit: 3616

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1,2,8-16,19, 21- 24,26 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hodac et al (5,775,725) in view of Berrahou et al. Hodac et al disclose an airbag subassembly comprising a support structure having at least two apertures 7, and a bracket having a base formed from a material and at least two retention members 3 extending from said base, said retention members adapted to extend through said apertures in said support structure. The airbag subassembly further includes a retention mechanism coupled to said support structure to engage said retention members 3 to couple said bracket 1 to said support structure 2. The retention mechanism 6 includes a rest position where it obstructs said apertures 7, and said retention members 3 include an insertion point, a contact surface and a lip between said contact surface and said insertion point and wherein said insertion point, said lip and said contact surface displace said retention mechanism 6 from said rest position as said retention members are inserted into said aperture 7, until said retention mechanism 6 becomes disposed in said retention cavity in said engaged position. Hodac et al disclose the present invention except for the retention members being stamped integral with the base and including a surface formed to define a cavity extending approximately perpendicular to said base. Berrahou et al teach a housing retention mechanism for an airbag assembly comprising a stamped base and two retention members wherein said retention members are stamped integral with the base and including a surface formed to define a cavity extending approximately perpendicular to said base. With regard to claims 23 and 26, the housing bracket and support structure of Hodac et al both may

Art Unit: 3616

act as a horn bracket as they both comprise contact leads 24,33 for sounding the horn when force is applied to the housing. Therefore it would have been obvious to one of ordinary skill in the art to modify the airbag assembly of Hodac et al with the teaching of Berrahou et al's integrally stamped retention members to lower production costs.

7. Claims 10, 21-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hodac et al in view of Berrahou and in further view of Mirone (6,457,379). Hodac et al and Berrahou et al disclose the present invention except for a horn bracket between a support structure and a bracket, said horn bracket defining at least two pin receivers for allowing passage. Mirone teaches a steering wheel comprising a support structure 1, a bracket 20, and a horn bracket 7 disposed between said support structure and said bracket, said horn bracket including three pin receivers 22. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the airbag subassembly of Hodac et al and Berrahou et al with the teaching of Mirone's horn bracket to mount a horn-actuating device onto a steering wheel with particularly easy and rapid operations.

### ***Conclusion***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Szigethy (5,350,190) discloses an airbag assembly comprising a retainer ring, sealer plate, airbag housing, and retention members, with pin receivers in each for passage of said retention members. Worrell et al (5,380,037) disclose a steering wheel-mountable airbag subassembly comprising a bracket mounted to a

Art Unit: 3616

support structure via retention members engaging a spring retention device and also comprising a horn bracket. Gordon (5,470,100) discloses an airbag assembly comprising a retainer ring including retention members and a spring-like retention device. Worrell et al (6,092,832) disclose an airbag subassembly for mounting to a steering wheel comprising a bracket including integrally stamped retention members. Fujita (6,299,201) discloses a steering wheel airbag assembly comprising a support structure, a bracket, and a horn bracket. Schorle et al (7,059,631) disclose a steering wheel airbag apparatus comprising a support structure, a bracket, retention members, and a horn bracket.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy D. Wilhelm whose telephone number is 571-272-6980. The examiner can normally be reached on 9:00 AM to 5:30 PM Monday through Friday.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paul Dickson can be reached on 571-272-6669. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 3616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TDW

  
PAUL N. DICKSON  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600